

WITNESS STATEMENT FOR MS PHUMLA WILLIAMS

1. I am **Mirriam Phumla Williams**, the Acting Government Communication and Information System (GCIS) Director-General. I first joined the Public Service in 1994 as an Administrator in the Gauteng Provincial Office. I was then promoted to the post of Assistant Director and to the post of Deputy-Director.
2. In June 1998, I joined the GCIS as the Director: Finance and later appointed, in 2002, as the GCIS: Chief Financial Officer. The Accounting Officer at the time was Mr Joel Netshitenzhe and, later, Mr Themba Maseko.
3. I was appointed as the Deputy Chief Executive Officer: Corporate Services – level of Deputy Director General on the 8 May 2009 after the early retirement of the then Deputy Chief Executive Officer.
4. The GCIS was formed in May 1998 after its founding document (Comtask Report) was adopted by Cabinet. It was an intervention to replace the former Apartheid South African Communication Services (SACS). It was to be a communication system that was to give effect to the constitutional right of access to information.
5. The Comtask report made a number of recommendations which served as the basis of setting up the functions of the GCIS. It was to



ensure that government drives its message in a coherent and consistent manner. One of those recommendations required GCIS to establish a media bulk buying service for government so as to ensure economies of scale.

6. Whilst GCIS was building its own internal capacity, this service was provided to the national departments through the outsourced media buying agencies which we procured through an open bidding process.
7. In August 2010, when the last agency contract expired, GCIS moved the function in-house so that media buying would now be run from capacity within GCIS. In consultation with the National Treasury, we then developed the Procurement Policy and delegations that were to guide the procurement processes to be followed.
8. As the Head of Corporate Services, I was appointed as the chairperson of the Bid Adjudication Committee. Members of the Bid Adjudication Committee were appointed/re-appointed on an annual basis in terms of the GCIS Procurement Policy. The procurement policy was designed around a bid adjudication process which culminated in the approval of a service provider being signed off by the Chairperson of the Bid Adjudication Committee. In the event the submission was outside the delegated powers of GCIS, we would forward to submission to National Treasury for condonation.



9. In or about January 2011, six months into the in-house media bulk buying, the Chief Executive Officer, Mr Themba Maseko, was removed. On the morning he came to make the announcement, he came in my office, which was next to his. He asked me to urgently call the management meeting into his Boardroom.
10. When we all came in, he told us he was leaving the department. When we tried to probe why he was leaving he just said he was been transferred. At that time he was meant to travel to the World Economic Forum (WEF) he asked me to cancel and that I should go in his place as we had already bought the tickets. After we were dismissed, I went back to his office to try and probe him further.
11. When I entered his office, he bent his head over his desk. I could not speak to him. His secretary, Ms Pari Pillay, packed all his belonging as he could not even pack for himself. On his way out, I recall him saying that he would have to change his plans of buying a house as we were assisting him with buying a house.
12. On the same day that Mr Maseko left, Mr Jimmy (Mzwanele) Manyi was appointed as the new Director General. He asked me to call a staff meeting so that he could introduce himself.
13. Mr Manyi arrived and introduced a number of changes in the organisation.



14. Although Mr Manyi, on 3 June 2011, appointed me as the Chairperson of the Bid Adjudication Committee in terms of the Departmental Procurement Policy, he subsequently dissolved the Bid Adjudication Committee which had been appointed by him earlier and replaced it with new members. I was removed from the position of Chair of the Bid Adjudication Committee in the process. We were never given letters of withdrawing our membership. Prior to our removal, all of the members of the Bid Adjudication Committee had gone through five days of training that was organised by National Treasury. A copy of my letter of appointment is attached as **annexure A**.
15. Mr Manyi appointed Mr Michael Currin - who at the time was the Chief Director responsible for the Provincial Offices - as the new Chairperson. Other members of the Committee were Ms Penelope Ntuli (Chief Director: Clusters), Ms Mathope Thusi (Director: Human Resources) – both had been recently appointed in the department - and Ms Zukiswa Potye who was the Chief Director responsible for Project Management (Strategic Planning; Performance and Monitoring).
16. Mr Manyi also made changes to the Bid Adjudication Committee processes. All submissions were now meant to be signed off by him. This was a new change as both the previous CEOs of GCIS - Mr Joel Netshitenzhe and Mr Themba Maseko - were never involved in the Bid Adjudication Committee process.



17. During my tenure as Acting DG, I was never involved in any procurements of TNA/SABC breakfast sessions. It has since come to my attention that the Supply Chain Management Section may have had dealings with TNA/SABC Breakfast. Supply chain would be best placed to indicate if there were any procurements of TNA/SABC breakfast sessions.
18. Mr Manyi's contract with GCIS ended in August 2012. I was then appointed as the Acting Chief Executive Officer (DG) by the late Minister Chabane. My acting role was renewed every six months. On the third renewal, Minister Chabane asked me what would happen if he just confirmed my appointment. I informed him it would be irregular and said that he would have to follow the normal recruitment process, He then told me he was instructed not to appoint me. He never told me who gave him this instruction.
19. After the General Elections in May 2014, Ms Faith Muthambi was appointed as the Minister responsible for GCIS. After her appointment, she told me that she wanted to finalise the recruitment process of the Director General of GCIS. Around the beginning of June 2014, I received a call from the Head of Human Resources - Mr Keitumetse Semakane - to ask me to avail myself for the interviews for the post of DG: GCIS.
20. One evening, whilst preparing myself for these interviews, I received a call from Mr Semakane. He apologised and told me the interviews



had been cancelled indefinitely. No reasons were given to me for the indefinite cancellations.

21. After those cancellation, my relationship with the Minister became strained for reasons unknown to me. On the 18 June 2014, I received the first formal letter of complaint from Minister Muthambi. The letter recorded that the "situation [had] become untenable". This was three weeks into her being responsible for GCIS. A copy of the letter and my reply are attached as **annexures B and C**.
22. As I could not understand what the reasons were for her behaviour, I asked for a meeting with the President in the hope that he could intervene on my behalf. After my meeting with him, he promised to attend to the matter. He never did and my harassment by former Minister continued.
23. By October 2014, the relations had got to a point wherein I received another letter informing me of the withdrawal of my Acting responsibility. I should indicate that this was done whilst I had taken leave that she had approved. She appointed Mr Donald Liphoko as the new Acting DG. At the time of his appointment, Mr Liphoko was the Chief Director: Media Buying. Mr Liphoko had previously been head hunted and brought into the GCIS by Mr Manyi. A copy of the letter removing me from the position of Acting DG is attached as **annexure D**.



24. In February 2015, when Cabinet resumed from the Festive holidays, the Cabinet Secretary, Dr Cassius Lubisi, called me to ask that I resume my responsibilities as Cabinet Spokesperson. The position of Director General of GCIS ordinarily includes the responsibility of Cabinet Spokesperson. I therefore indicated to Dr Lubisi that I had been removed from the position of Acting DG and was therefore no longer Cabinet Spokesperson. I told him that Mr Liphoko was now in charge. When he persisted that I remain as Cabinet Spokesperson, I requested Minister Muthambi to formally record the appointment in writing. A copy of that designation is attached as **annexure E**.
25. After accepting the role of Cabinet Spokesperson again, I developed my new Performance Agreement that was aligned to the Cabinet Spokesperson role. This was signed by both Minister Muthambi and Minister Jeff Radebe, as Cabinet work resided in the Presidency. A copy of the agreement is attached as **annexure F**.
26. Public Service Regulations prescribes that when a public servant acts on a higher portfolio that is funded and vacant she/he needs to be compensated after six weeks. I should indicate that this was applied even during my Acting period under Minister Chabane. This became a further source of another dispute with Minister Muthambi because she claimed that I was just assisting and therefore should not be compensated. I referred the matter to the Public Service Commission which ruled in my favour. The PSC ruled that I be compensated and that position of GCIS DG must be advertised urgently and the post filled.

27. Minister Muthambi never implemented the PSC's recommendations. Instead, she reversed my responsibilities as Cabinet Spokesperson in April 2016. She directed that I revert back to my previous portfolio.
28. After this demotion, I again made an attempt to meet with the President to request him to intervene to ensure that Minister Muthambi implemented the PSC recommendation. He promised to come back to me but he never did.
29. After April 2016, I occupied the position of Deputy Director-General: Corporate Services. In August 2016, Mr Liphoko, who was still the Acting DG at the time, sent me a letter informing me that the Minister had instructed him to remove the following responsibilities from my job description: Budget Office; Salaries Administration; Bookkeeping Office; Cashier Office; Supply Chain Management; Facilities; Transport Administration; Registry and Messenger Services; Asset Management; Cleaning and Security Administration. After these functions were removed, I was left with Human Resources Administration; Human Resource Development; Information Technology and Strategic Planning, Performance and Monitoring office. A copy of this letter is **annexure G**.
30. This meant that seventy one percent of my work portfolio was removed from me without any process or consultation. When I asked for an explanation of the change, Mr Liphoko said this was "as per the Minister's instruction". The Minister then wrote to me and confirmed the instruction. A copy of this letter is **annexure H**.

31. From August 2016 to April 2017, seventy percent of my portfolio no longer reported to me. Yet I continued being paid the salary of the DDG as if all these portfolios were reporting to me. The Head of these sections, the CFO Mr Zweli Momeko, stopped attending my weekly division meetings. He, instead, reported directly to Mr Liphoko.
32. In around beginning of July 2016, I received a letter inviting me to an interview by Minister Muthambi in her office for the 14 July. The letter was sent by her Chief of Staff, Ms Basani Baloyi, and not Human Resources as I know the process in GCIS. I responded and told her I did not apply for the post and so I did not understand why I was being invited. **(ANNEXURE I)**
33. Around April 2017, Ms Ayanda Dlodlo replaced Ms Muthambi as Minister of Communications. Minister Dlodlo reappointed me as Acting DG and I have been in that position since then. I should also indicate that she approved that I be compensated as recommended by the Public Service Commission.
34. Minister Dlodlo thereafter asked me to facilitate Minister Muthambi's request that Mr Liphoko and Mr Momeko be transferred to the Department of Public Service and Administration with her.
35. From the time that I was appointed as the Acting DG in August 2012 to date, I have acted for a total of fifty eight months to date. In all



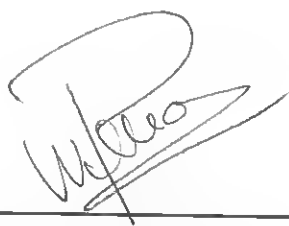
this period, I have never given all the principals I served under any reasons to doubt my performance.

36. Lastly, I would like to mention that joining the public service in 1994 after the first democratically elected government was a natural choice for me. I spent my youth as an activist for change and I later joined the liberation struggle because of the passion I had to improve the lives of South Africans.
37. The years that I was acting in the public service under Minister Muthambi went against everything I believe in for the fight for justice.
38. When I approached former President Zuma to intervene to stop the harassment I was suffering, I was astonished that he did nothing. President Zuma worked with me for the better part of my time in Mozambique and Swaziland (1980 -1986). I never for one moment doubted that he would intervene on my behalf. But this was not to be.
39. My pension benefits have been negatively affected by the extended period that I have been in an acting position in GCIS. I have also been abused by the political head of an institution that was meant to protect the laws that we fought so hard for. As a result of the Minister Muthambi's behaviour, an essential government institution that was built from 1998 was rendered dysfunctional.



40. Whilst working as the Director, CFO and DDG I have worked with the most hardworking ethical public servants. I have learnt and also provided leadership to this team with the support we got from the Ministers who preceded Minister Muthambi. and the former Director Generals (Mr Joel Netshitenzhe and Mr Themba Maseko).
41. They made me proud to be a public servant. I owe it to their leadership that I have grown in the Public Service to a point of being able to run the Department as the Acting Director-General.

Signed at PRETORIA on this 16 day of August 2018.



Ms Phumla Williams